

D 77

¹ This being the thirteenth Set of Appeal Decisions submitted to the Court by Special Master Helen B. Junz.

- a) the Claimant has identified a person with precisely the same name as the Account Owner, or the Claimant has accurately identified a person with substantially the similar name as the Account Owner or a credible pseudonym, and where applicable, has provided a plausible explanation for the difference in names; and
- b) the CRT is satisfied that the information provided by the Claimant is consistent with unpublished information in the bank records...”

In 6 of these 10 cases the CRT has determined, and the Special Master has confirmed on appeal, that the Claimant was not able to identify his or her relative as the Account Owner or as the Power of Attorney Holder of record. Accordingly, these appeals are dismissed.

Of the remaining four cases, three involve Certified Awards. The issues raised on Appeal were in one case the assertion that the amount of the award was inadequate and in another, the Appellant was not sure that she was entitled to an Award at all (which consisted of her share of the proceeds of a Multiple Plausible Match (“MPM”)). In both cases, the Special Master has confirmed on appeal that the CRT’s award determination was correct. In the third case, which involved an MPM Award, *In re the Account of E. Kunz*, the Appellant disagreed with the division of the award and the entitlement of one of the successful Claimants. In this case, the CRT found that the Appellant was not entitled to share in the award as, though he was a relative of the Account Owner, another Claimant was more closely related to that Account Owner. Upon review of the

information submitted by the Appellant in his claim and on appeal, the Special Master found that the Appellant was in fact not related to the Account Owner, so that no entitlement existed. This finding does not alter the outcome of the original Award Decision, which found that the Appellant was not entitled to share in the MPM Award, and the Appeal is dismissed.

The final case relates to a Disposition Denial, where the CRT found that the Account Owner, who was the Appellant's relative, had received the assets in the account himself as that relative resided in Hungary at the time the account was closed and the closure date was before Hungary joined the Axis in 1940. With respect to the Appeal of the Disposition Denial, *In re the Account of Jenő and Geza Gelleri*, the Special Master has determined that, although the domicile of the Appellant's relative was Hungary, the relative also operated a bank and had a residence in Vienna at the time of the *Anschluss*, and thus was subject to persecution on Nazi controlled territory when the account was closed. In this case, the decision of the CRT has been reversed and remanded with instructions to award the account to the Appellant.

In view of the above, it is hereby

ORDERED that the 10 Decisions on Appeal listed in Annex A are hereby approved and shall be distributed to the relevant Claimants by the CRT.

It is further ordered that the Special Master shall provide the Court with the name and address of every Claimant receiving a Decision on Appeal, which information shall be filed with the Court under seal.

So ordered.

s/Edward R. Korman

USD. T 12/14/10

[Set 13 HBJ] Annex A – UNREDACTED
CONFIDENTIAL

Special Master Helen B. Junz hereby certifies as of December 8, 2010 the following decisions on appeal for approval by the Court:

Appeal Number		Account Owner's Name and Claim Number	Original Decision in Batch	Type	Disposition of the Appeal
1.	1124	Gelleri, Jenö, 752353, 770949	124	Disposition Denial	Reversed
2.	1388	Baruch (Blumenthal), Siegfried, 224297	115	Non Identity Denial	Dismissed
3.	1477	Strauss, Moses, 754081	133	Non Identity Denial	Dismissed
4.	1480	Nadler, Ida, 220311	134	Non Identity Denial	Dismissed
5.	1610	Lazarevitch, Georges, 400240	146	Non Identity Denial	Dismissed
6.	1719	Meyer Hellmann, Alexander, 402113, 402115	145	Non Identity Denial	Dismissed
7.	1854	Kunz, E., 203071	150	MPM Award to other Claimants; Appellant received an Entitlement Denial	Dismissed*
8.	2079	Goldenberg, Zalman, 217823	157/NML	Non Identity Denial	Dismissed
9.	2088	Steiner, Frieda, 751095	152	Award; Appeal on grounds amount was inadequate	Dismissed
10.	2961	Sommer, A., 783529	176	MPM Award; Appellant unsure that she is entitled	Dismissed

*CRT finding: division of the award excluded Appellant as other Claimant was found to be more entitled;
Appeal Decision: Appellant found not to be related to Account Owner, thus no entitlement.